

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2502 of 2014

In
Matrimonial Reference No. 90 of 2014

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Gayatri Devi daughter of Sri Raghunandan Prasad, resident of mohalla-Indrapuri Road No. 0(Zero), Post-Keshari Nagar, PS-Keshari Nagar, District-Patna. Petitioner/s

Versus

Sanjeev Kumar son of Sri Chaturgun Prasad, resident of Mohalla-Begampur, Post-Ara Chauk, PS-Ara Nagar, District-Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vivek Kumar Singh

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 15-09-2015 Heard learned counsel for the petitioner and learned counsel for the respondent.

This application has been filed for transfer of Matrimonial Case No. 90 of 2014 from Principal Judge, Family Court, Bhojpur at Ara to Principal Judge, Family Court, Patna.

In the present case, the marriage of the petitioner was solemnized on 30th April 2006 in accordance with Hindu rites and rituals but it could not run smoothly which led to filing of Matrimonial Case No. 90 of 2014 for restitution of conjugal right under Section 9 of the Hindu Marriage Act.

It appears that the petitioner had filed a complaint case No. 28548C/2014 pending before Civil Court, Patna, so much so claimed that she is the student of B.A.(Honours), Part-I and it is very difficult for her to attend the case on regular basis at

Bhojpur (Ara).

Claim of the petitioner has been resisted by the counsel for the opposite party and has submitted that the petitioner is teacher in the school but there is no material to show that she is engaged in the profession of teaching.

Looking to the comparative hardship, it is very difficult for a wife, who is still student of B.A., to attend the case regularly at Bhojpur (Ara) and it will not be so hardship for the husband to attend the case at Patna.

In such view of the matter, Matrimonial Case No. 90 of 2014 pending in the court of Principal Judge, Family Court, Bhojpur at Ara is transferred to Principal Judge, Family Court, Patna.

The court below is directed to expedite the case, complete the same within a period of six months from the date of receipt of the record of the case.

Accordingly, this application is allowed.

(Shivaji Pandey, J)

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